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9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON
11 AT TACOMA

12 SAM DONAGHE,
13 Plaintiff,
14 v.
15 PAUL TEMPOWSKY *et al.*,
16 Defendants.

Case No. C04-5541RBL
ORDER ADOPTING REPORT
AND RECOMMENDATION

17 The court having considered the report and recommendation in this case prepared by the
18 Honorable Magistrate Judge Karen L. Strombom.

19 Plaintiff has failed to file an amended complaint when ordered to do so. The remaining
20 claims in this action are **DISMISSED WITHOUT PREJUDICE**.

21 The clerk is directed to send copies of this order to plaintiff and counsel for defendants.
22 DATED this 3rd day of May, 2005.

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25 RONALD B. LEIGHTON
26 UNITED STATES DISTRICT JUDGE
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28 ORDER - 1